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| Date of Deposit: | 7/14/05 | Name of Person Making the Deposit: | Savanah Woodd | Signature of the Person Making the Deposit: | <i>Savanah Woodd</i> |
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Inventor(s): Hank RISAN and Edward Vincent FITZGERALD Confirmation No.: 5340
Application No.: 10/772,025 Group Art Unit: 2131
Filed: 02/03/2004 Examiner: N/A
Title: METHOD AND SYSTEM FOR PREVENTING UNAUTHORIZED RECORDING OF MEDIA CONTENT IN AN ITUNES TM ENVIRONMENT

Mail Stop Amendment
Commissioner of Patents
P. O. Box 1450
Alexandria, VA 22313-1450

INFORMATION DISCLOSURE STATEMENT

Sir:

This Information Disclosure Statement is submitted:

☐ Under 37 CFR 1.97 (b), or
(Within three months of filing national application; or date of entry of national application; or before mailing date of first office action on the merits; whichever occurs last)

☒ Under 37 CFR 1.97(c) together with either a:
☒ Statement under 37 CFR 1.97(e), or
☐ a \$180.00 fee under 37 CFR 1.17(p), or
(After the CFR 1.97(b) time period, but before final action or notice of allowance, whichever occurs first)

☐ Under 37 CFR 1.97(d) together with a:
☐ Statement under 37 CFR 1.97(e)(1) or (2), and
☐ A \$180.00 fee set forth in 37 CFR 1.17(p)
(Filed after final action, a notice of allowance, on or before payment of the issue fee)

PAYMENT OF FEES

☐ Please find enclosed a check in the sum of \$ 0.00 .

☒ At any time during the pendency of this application, please charge any fees required or credit any overpayment to Deposit Account **23-0085** pursuant to 37 CFR 1.25.
☒ Applicant(s) submit herewith Form PTO 1449 – Information Disclosure Statement together with any required copies of patents, publications or other information of which applicant(s) are aware, which applicant(s) believe(s) may be material to the examination of this application and for which there may be a duty to disclose in accordance with 37 CFR 1.56.

☐ A concise explanation of the relevance of foreign language patents, foreign language publications and other foreign language information listed on the Form 1449, as presently understood by the individual(s) designated in 37 CFR 1.56(c) most knowledgeable about the content is given on the attached sheet, or where a foreign language patent is cited in a search report or other action by a foreign patent office in a counterpart foreign application, an English language version of the search report or action which indicates the degree of relevance found by the foreign office is listed on form PTO 1449 and is enclosed herewith.

It is requested that the information disclosed herein be made of record in this application.

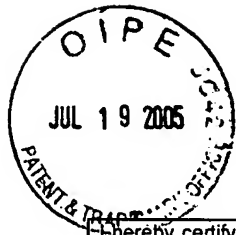
Please direct all correspondence concerning the above-identified application to the following address:

WAGNER, MURABITO & HAO LLP
Two North Market Street, Third Floor
San Jose, California 95113
(408) 938-9060
Customer No: 000041066

Respectfully submitted,

Date: 7/14/05

By: William A. Zarbis
William A. Zarbis
Reg. No. 46,120



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| Date of Deposit: | 07/14/05 | Name of Person Making the Deposit: | Savanah Woodd | Signature of the Person Making the Deposit: | <i>Savanah Woodd</i> |
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STATEMENT UNDER 37 CFR 1.97 (e)

Sir:

The undersigned hereby certifies that either:

☒ Each item of information contained in the Information Disclosure Statement was cited for the first time in a communication from a foreign patent office in a counterpart foreign application, not more than three months prior to the filing of the statement or

☐ No item of information contained in the Information Disclosure Statement

- was cited in a communication from a foreign patent office in a counterpart application, and
- to the knowledge of the undersigned, after making reasonable inquiry, was known to any individual designated in 37 CFR 1.56 (c) more than three months prior to the filing of the Information Disclosure Statement.

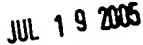
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Respectfully submitted,

Date: 7/14/05

By: *William A. Zabis*
William A. Zabis
Reg. No. 46,120



Approved for use through 07/31/2006. OMB 0651-0031

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

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Substitute for form 1449/PTO

(Use as many sheets as necessary)

Complete if Known

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|------------------------|--------------------|
| Application Number | 10/772,025 |
| Filing Date | 02/03/2004 |
| First Named Inventor | Hank RISAN, et al. |
| Art Unit | 2131 |
| Examiner Name | N/A |
| Attorney Docket Number | MOMI-025 |

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|-------|---|----|---|
| Sheet | 1 | of | 2 |
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| FOREIGN PATENT DOCUMENTS | | | | | | |
|--------------------------|--------------------------|---|-----------------------------------|--|---|----------------|
| Examiner Initials* | Cite No. ¹ | Foreign Patent Document | Publication Date MM-DD-YYYY | Name of Patentee or Applicant of Cited Document | Pages, Columns, Lines, Where Relevant Passages Or Relevant Figures Appear | T ⁶ |
| | | Country Code ³ Number ⁴ Kind Code ⁵ (if known) | | | | |
| | | EP 1 081 575 A | 3/7/2001 | Matsushita Elec | | |
| | | EP 0 887 723 A | 12/30/1998 | International | | |
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**Examiner
Signature**

Date Considered

*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. ¹Applicant's unique citation designation number (optional). ²See Kinds Codes of USPTO Patent Documents at www.uspto.gov or MPEP 901.04. ³Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). ⁴For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. ⁵Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST.16 if possible. ⁶Applicant is to place a check mark here if English language Translation is attached.

This collection of information is required by 37 CFR 1.97 and 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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| Substitute for form 1449/PTO INFORMATION DISCLOSURE STATEMENT BY APPLICANT (Use as many sheets as necessary) | | Complete if Known | | | |
| | | Application Number | 10/772,025 | | |
| | | Filing Date | 02/03/2004 | | |
| | | First Named Inventor | Hank RISAN, et al. | | |
| | | Art Unit | 2131 | | |
| | | Examiner Name | N/A | | |
| Sheet | 2 | of | 2 | Attorney Docket Number | MOMI-025 |

| NON PATENT LITERATURE DOCUMENTS | | | |
|---------------------------------|--------------------------|---|----------------|
| Examiner Initials* | Cite No. ¹ | Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.); date, page(s), volume-issue number(s), publisher, city and/or country where published. | T ² |
| | | TOBIAS HAUSER: "Finger weg" CT, no. 6/2003, March 10, 2003, pages 1-4, XP002327813 | |
| | | CHRISTIAN WENZ: "Ohren auf den Schienen" CT, no. 6/2003, March 10, 2003, pages 1-2, XP002327814 | |
| | | APPLE COMPUTER: "iTunes" WIKIPEDIA, 'Online! May 10, 2005, XP002327815, URL:www.en.wikipedia.org/wiki/ITUNES> | |
| | | APPLE COMPUTER: "FairPlay" WIKIPEDIA, 'Online! April 28, 2003, XP001217816, URL:www.en.wikipedia.org/wiki/FairPlay> | |
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¹ Applicant's unique citation designation number (optional). ² Applicant is to place a check mark here if English language Translation is attached. This collection of information is required by 37 CFR 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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